

11047 U.S. PTO  
04/10/01

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PTO/SB/05 (11-00)

Approved for use through 10/31/2002 OMB 0651-0032

U S Patent and Trademark Office U S DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. 23070087910  
First Inventor Rose, Larry  
Title ANTIGENIC EPITOPES WITH LYM-1 REACTIVITY AND USES THEREOF  
Express Mail Label No. EL769976559 US

09/832510  
04/10/01

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning design patent application contents

1. X Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. X Specification [Total Pages 35]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the invention
  - Brief Summary of the invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. X Drawing(s) (35 U.S.C.113) [Total Sheets 1]
5. Oath or Declaration [Total Pages 8]
  - a. ☐ Newly executed (original or copy)
  - b. X Copy from a prior application (37 CFR 1.63 (d))  
(for a continuation/divisional with Box 18 completed)
  - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
6. X Application Data Sheet. See 37 CFR 1.76

## ADDRESS TO

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper number of pages
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATIONS PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. § 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure ☐ Copies of IDS  
Statement (IDS)/PTO-1449 Citations
13. ☐ Preliminary Amendment
14. X Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
17. ☐ Other: Preliminary Amendment

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No 09/181,896 / filed October 28, 1998  
Prior application information: Examiner Huff, S. Group Art Unit: 1642

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label 20350 or ☐ Correspondence address below  
(Insert Customer No or Attach bar code label here)

Name					
Address					
City	State	Zip Code			
Country	Telephone	Fax			

Name (Print/Type)	Eric J. Baude	Registration No. (Attorney/Agent)	47,413
Signature	Eric J. Baude	Date	04/10/2001

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Customer No. 20350  
TOWNSEND and TOWNSEND and CREW LLP  
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ASSISTANT COMMISSIONER FOR PATENTS  
BOX PATENT APPLICATION  
Washington, D.C. 20231

Attorney Docket No. 023070-087900  
Client Ref No. 98-009-1

"Express Mail" Label No. EL104832112US  
Date of Deposit: October 28, 1998

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above, addressed to:

Assistant Commissioner for Patents  
Washington, D.C. 20231

By: 

Sir:

Transmitted herewith for filing is the

- ☒ patent application of
- ☐ continuation patent application of
- ☐ divisional patent application of
- ☐ continuation-in-part patent application of

CONFIDENTIAL

Inventor(s)/Applicant Identifier: LARRY M. ROSE, CLAUDE F. MEARES, ROBERT T. O'DONNELL

For: ANTIGENIC EPITOPES WITH LYM-1 REACTIVITY AND USES THEREOF

This application claims priority from each of the following Application Nos./filing dates:

the disclosure(s) of which is (are) incorporated by reference.

Please amend this application by adding the following before the first sentence: "This application is a ☐ continuation ☐ continuation-in-part of and claims the benefit of U.S. Provisional Application No. 60/\_\_\_\_\_, filed \_\_\_\_\_, the disclosure of which is incorporated by reference."


Enclosed are:

- ☒ 1 sheet(s) of ☐ formal ☒ informal drawing(s).
- An assignment of the invention to \_\_\_\_\_
- ☒ A ☐ signed ☐ unsigned Declaration & Power of Attorney
- ☒ A ☐ signed ☒ unsigned Declaration.
- ☒ A unsigned Power of Attorney.
- ☐ A verified statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27 ☐ is enclosed ☐ was filed in the prior application and small entity status is still proper and desired.
- ☐ A certified copy of a \_\_\_\_\_ application.
- ☐ Information Disclosure Statement under 37 CFR 1.97.
- ☐ A petition to extend time to respond in the parent application.
- ☐ Notification of change of ☐ power of attorney ☐ correspondence address filed in prior application.
- ☐

In view of the Unsigned Declaration as filed with this application and pursuant to 37 CFR §1.53(b),  
Applicant requests deferral of the filing fee until submission of the Missing Parts of Application.

DO NOT CHARGE THE FILING FEE AT THIS TIME.

Townsend and Townsend and Crew LLP  
2 Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, CA 94111-3834  
Telephone: (415) 576-0200  
Facsimile: (415) 576-0300

  
Gregory P. Einhorn  
Reg No.: 38,440  
Attorneys for Applicant

SF 173320 v1

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**FEE TRANSMITTAL  
for FY 2001**

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT** (\$) 710**Complete if Known**

Application Number	
Filing Date	April 10, 2001
First Named Inventor	Rose, Larry
Examiner Name	
Group Art Unit	
Attorney Docket No	23070087910

**METHOD OF PAYMENT**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any over payments to.

Deposit  
Account  
Number

20-1430

Deposit  
Account  
Name

Townsend and Townsend and Crew LLP

- ☒
- Charge Any Additional Fee Required
- 
- Under 37 CFR 1.18 and 1.17
- 
- ☐
- Applicant claims small entity status
- 
- See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:**

☐ Check ☐ Credit card ☐ Money  
Order ☐ Other
**FEE CALCULATION****1. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	710
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

**SUBTOTAL (1)**

(\$710)

**2. EXTRA CLAIM FEES**

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
18	-20**		0	\$18	\$0
2	-3**		0	\$80	\$0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)**

(\$0)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

(\$)

**SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)	Eric J. Baude	Registration No. (Attorney/Agent)	47,413	Telephone	415-576-0200
Signature	<i>Eric J. Baude</i>	Date	04/10/2001		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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